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COCOM Document 3711.33/4B

23rd March, 1960.COORDINATING COMMITTEERECORD OF DISCUSSIONONGERMAN STATEMENT ON THE INTERPRETATION OF ITEM 1133(a)17th and 21st March 1960

Present: Belgium(Luxembourg), Denmark, France, Germany, Italy, Japan,  
Netherlands, Turkey, United Kingdom, United States.

References: COCOM Doc. No. 3711.33/2 and 3.

1. The CHAIRMAN recalled that the Committee had agreed to hear final views from the Netherlands and United States Delegations at that day's meeting. Since the Netherlands Delegate was absent, however, the Chairman noted that the Committee would only be able to hear the United States Delegate's statement.

2. The UNITED STATES Delegate stated that his authorities had carefully studied the problem posed by the German Delegation on February 22nd (COCOM Doc. 3711.33/2), the responses made by the German Delegation to the questions asked during the meeting of March 7th and the technical brochures provided by the German Delegation at that time. The United States authorities welcomed the constructive spirit which led the German authorities to bring the question to the Committee. In response to the German question, they had concluded that the stopcocks in question were embargoed by International List Item 1133(a). The reasons for this conclusion were:

1. Any valve capable of meeting the temperature specifications of Item 1133(a) must of necessity be specially designed to do so. All extremely low temperature valves, including those used in the refrigeration industry, must be specially designed in order to function properly over a wide temperature range. Fundamentally, the problem was to design valves in which all parts would expand and contract at the same rate in response to changes in temperature. This critical performance was achieved by the special design of parts and through the use of specially adapted alloys. The alloy employed in the valves described by German Delegation was, to the knowledge of the United States experts, used only for extremely low temperature valves.
2. The valves described by the German Delegation were rated by the manufacturer for use at temperatures of  $-130^{\circ}\text{C}$ . and below. They were, therefore, specially designed to operate at these temperatures and were consequently embargoed by Item 1133(a).
3. In the opinion of the United States authorities there were no ordinary industrial valves rated for operation below  $-130^{\circ}\text{C}$ . While valves similar to those described by the German Delegation might have been in use in the refrigeration industry for many years, they were nevertheless necessarily specially designed for the extremely low temperatures cited. There were, indeed, many refrigeration uses for valves specially designed to operate at  $-130^{\circ}\text{C}$ ., but these ranged from those of a non-strategic nature to those used in the manufacture, storage, processing and use of strategic liquified gases. Their use in connection with military rockets and missiles was well known to the competent military authorities.

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In view of these considerations, the United States authorities believed that Germany should submit any proposed exports of the valves described under the normal exceptions procedures and include complete technical specifications in the submission. The Committee could then determine the strategic value of such valves on a case-by-case basis.

3. The GERMAN Delegate thanked his United States colleague for stating his Government's views. He undertook to transmit them to his authorities. He recalled, however, that the only criterion to be taken into consideration in deciding if these valves were covered by Item 1133(a) was whether or not they were "specially designed" for very low temperatures. The Delegate stated that his authorities would study the matter afresh in the light of the views expressed, and inform the Committee of their findings at some later date.

4. On the 21st March, the NETHERLANDS Delegate stated that his authorities, while regretting that the German Delegation had been unable to state the civilian use of the cocks concerned, agreed that cocks operating at low temperatures such as  $-130^{\circ}\text{C}$ . were certainly designed for that use, and were therefore covered by Item 1133(a) and under embargo. The Delegate recalled that the Committee's intention had moreover been to protect the manufacturing processes of such cocks.

5. The GERMAN Delegate thanked the Netherlands Delegate whose statement he had heard with interest. He undertook to transmit it to his authorities and in the meantime, he recalled his statement in paragraph 3 above.

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